



2013 ASSEMBLY BILL 262

1 **AN ACT** *to repeal* 341.19 (1) (b) and 341.19 (2) (b); *to consolidate, renumber*
2 *and amend* 341.19 (1) (intro.) and (a); *to amend* 13.92 (4) (c), 13.92 (4) (d),
3 13.92 (4) (e), 13.92 (4) (f), 25.40 (1) (a) 3., 35.93 (2) (b) 4., 35.93 (2) (c) 1., 35.93
4 (3), 35.93 (3) (e) (intro.), 35.93 (3) (e) 1., 84.59 (2) (b), 194.46, 227.01 (13) (intro.),
5 227.11 (2) (intro.), 227.27 (2) and 341.19 (2) (c); and *to create* 13.92 (4) (bm) and
6 227.265 of the statutes; **relating to:** motor vehicle registration, motor carrier
7 appeals, rulemaking procedures, and modifying and repealing various rules
8 promulgated by the Department of Transportation.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

9 **SECTION 1.** 13.92 (4) (bm) of the statutes is created to read:
10 13.92 (4) (bm) If 2 or more rules filed under s. 227.20 or modified under s.
11 227.265 affect the same unit of the Wisconsin administrative code without taking

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1 cognizance of the effect thereon of the other rules and if the legislative reference
2 bureau finds that there is no mutual inconsistency in the changes made by each such
3 rule, the legislative reference bureau shall incorporate the changes made by each
4 rule into the text of the unit and document the incorporation in a note to the unit.
5 For each such incorporation, the legislative reference bureau shall include in a
6 correction bill a provision formally validating the incorporation. Section 227.27 (2)
7 is not affected by printing decisions made by the legislative reference bureau under
8 this paragraph.

9 **SECTION 2.** 13.92 (4) (c) of the statutes is amended to read:

10 13.92 (4) (c) The legislative reference bureau may insert in the Wisconsin
11 administrative code a note explaining any change made under par. (b) or (bm).

12 **SECTION 3.** 13.92 (4) (d) of the statutes is amended to read:

13 13.92 (4) (d) Sections 227.114, 227.116, 227.135, and 227.14 to 227.24 do not
14 apply to any change made by the legislative reference bureau under par. (b) or (bm).

15 **SECTION 4.** 13.92 (4) (e) of the statutes is amended to read:

16 13.92 (4) (e) The legislative reference bureau shall prepare and keep on file a
17 record of each change made under par. (b) or (bm).

18 **SECTION 5.** 13.92 (4) (f) of the statutes is amended to read:

19 13.92 (4) (f) The legislative reference bureau shall notify the agency involved
20 of each change made under par. (b) or (bm).

21 **SECTION 6.** 25.40 (1) (a) 3. of the statutes is amended to read:

22 25.40 (1) (a) 3. Revenues collected under ss. 341.09 (2) (d), (2m) (a) 1., (4), and
23 (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1)
24 (a) and (b), (2), (2e), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a),
25 (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264

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1 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30
2 (3), 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and
3 342.14 that are pledged to any fund created under s. 84.59 (2).

4 **SECTION 6g.** 35.93 (2) (b) 4. of the statutes, as affected by 2013 Wisconsin Act
5 20, is amended to read:

6 35.93 (2) (b) 4. Copies of all rules filed with the legislative reference bureau
7 under s. 227.20 (1) or modified under s. 227.265 since the compilation of the
8 preceding register, including emergency rules filed under s. 227.24 (3).

9 **SECTION 6r.** 35.93 (2) (c) 1. of the statutes, as affected by 2013 Wisconsin Act
10 20, is amended to read:

11 35.93 (2) (c) 1. Each chapter of the Wisconsin administrative code that has been
12 affected by rules filed with legislative reference bureau under s. 227.20 (1) or
13 modified under s. 227.265, in accordance with sub. (3) (e) 1.

14 **SECTION 7.** 35.93 (3) of the statutes is amended to read:

15 35.93 (3) The legislative reference bureau shall compile and deliver to the
16 department for printing copy for a register which shall contain all the rules filed
17 under s. 227.20 or modified under s. 227.265 since the compilation of rules for the
18 preceding issue of the register was made and those executive orders which are to be
19 in effect for more than 90 days or an informative summary thereof. The complete
20 register shall be compiled and published before the first day of each month and a
21 notice section of the register shall be compiled and published before the 15th day of
22 each month. Each issue of the register shall contain a title page with the name
23 “Wisconsin administrative register”, the number and date of the register, and a table
24 of contents. Each page of the register shall also contain the date and number of the
25 register of which it is a part in addition to the other necessary code titles and page

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1 numbers. The legislative reference bureau may include in the register such
2 instructions or information as in the bureau's judgment will help the user to correctly
3 make insertions and deletions in the code and to keep the code current.

4 **SECTION 7g.** 35.93 (3) (e) (intro.) of the statutes, as affected by 2013 Wisconsin
5 Act 20, is amended to read:

6 35.93 (3) (e) (intro.) The legislative reference bureau shall incorporate into the
7 appropriate chapters of the Wisconsin administrative code each permanent rule filed
8 with the legislative reference bureau under s. 227.20 (1) or modified under s. 227.265
9 and, for each chapter of the administrative code affected by a rule, do all of the
10 following:

11 **SECTION 7r.** 35.93 (3) (e) 1. of the statutes, as affected by 2013 Wisconsin Act
12 20, is amended to read:

13 35.93 (3) (e) 1. Publish the chapter in the appropriate end-of-month register
14 in accordance with the filing deadline for publication established in the rules
15 procedures manual published under s. 227.15 (7) ~~or~~, in an end-of-month register
16 agreed to by the submitting agency and the legislative reference bureau, or, in the
17 case of a rule modified under s. 227.265, in the end-of-month register for the month
18 in which the bill modifying the rule is enacted.

19 **SECTION 8.** 84.59 (2) (b) of the statutes is amended to read:

20 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
21 distinct special fund outside the state treasury, in an account maintained by a
22 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),
23 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),
24 (2e), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and
25 (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265

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1 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3), 341.305
2 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14 and from
3 any payments received with respect to agreements or ancillary arrangements
4 entered into under s. 18.55 (6) with respect to revenue obligations issued under this
5 section. The revenues deposited are the trustee's revenues in accordance with the
6 agreement between this state and the trustee or in accordance with the resolution
7 pledging the revenues to the repayment of revenue obligations issued under this
8 section. Revenue obligations issued for the purposes specified in sub. (1) and for the
9 repayment of which revenues are deposited under this paragraph are special fund
10 obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in
11 s. 18.52 (8).

12 **SECTION 9.** 194.46 of the statutes is amended to read:

13 **194.46 Amendment, suspension, or revocation of certificate, license, or**
14 **permit; hearing.** The department may at any time, by its order duly entered after
15 a hearing had, upon notice to the holder of any certificate, license, or permit under
16 this chapter and an opportunity to be heard, at which it shall be proved that the
17 holder has willfully violated or refused to comply with any of the provisions of this
18 chapter or s. 346.924, or any orders or rules of the department, alter, amend,
19 suspend, or revoke the certificate, license, or permit. The department may suspend
20 or revoke a certificate, license, or permit under this chapter if, after providing the
21 holder thereof notice and an opportunity to be heard on the matter, the department
22 finds that service under the certificate, license, or permit has been abandoned. A
23 person who is aggrieved by an order of the department under this section may, within
24 20 30 days after the date that the order is issued, request a review of the order by the
25 division of hearings and appeals.

ASSEMBLY BILL 262**SECTION 10**

1 **SECTION 10.** 227.01 (13) (intro.) of the statutes is amended to read:

2 227.01 (13) (intro.) “Rule” means a regulation, standard, statement of policy,
3 or general order of general application which has the effect of law and which is issued
4 by an agency to implement, interpret, or make specific legislation enforced or
5 administered by the agency or to govern the organization or procedure of the agency.
6 “Rule” includes a modification of a rule under s. 227.265. “Rule” does not include, and
7 s. 227.10 does not apply to, any action or inaction of an agency, whether it would
8 otherwise meet the definition under this subsection, which:

9 **SECTION 11.** 227.11 (2) (intro.) of the statutes is amended to read:

10 227.11 (2) (intro.) Rule-making authority is expressly conferred on an agency
11 as follows:

12 **SECTION 12.** 227.265 of the statutes is created to read:

13 **227.265 Repeal or modification of rules.** If a bill to repeal or modify a rule
14 is enacted, the procedures under ss. 227.114 to 227.21 and 227.26 do not apply.
15 Instead, the legislative reference bureau shall publish the repeal or modification in
16 the Wisconsin administrative code and register as required under s. 35.93, and the
17 repeal or modification shall take effect as provided in s. 227.22.

18 **SECTION 13.** 227.27 (2) of the statutes is amended to read:

19 227.27 (2) The code shall be prima facie evidence in all courts and proceedings
20 as provided by s. 889.01, but this does not preclude reference to or, in case of a
21 discrepancy, control over a rule filed with the legislative reference bureau ~~or the~~
22 ~~secretary of state~~ under s. 227.20 or modified under s. 227.265, and the certified copy
23 of a rule shall also and in the same degree be prima facie evidence in all courts and
24 proceedings.

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1 **SECTION 14.** 341.19 (1) (intro.) and (a) of the statutes are consolidated,
2 renumbered 341.19 (1) and amended to read:

3 341.19 (1) The department shall establish a telephone call-in procedure to
4 authorize the operation of vehicles under the quarterly registration system in s.
5 341.30 or consecutive monthly registration system in s. 341.305. In addition to the
6 registration fee required under s. 341.30 or 341.305, ~~the following fees shall be paid~~
7 ~~to the department~~ for authorizing the operation of a vehicle under this section: (a)
8 The, a fee shall be paid to the department of the lesser of \$10 per vehicle or the actual
9 cost of the telephone authorization per vehicle as determined by the department.

10 **SECTION 15.** 341.19 (1) (b) of the statutes is repealed.

11 **SECTION 16.** 341.19 (2) (b) of the statutes is repealed.

12 **SECTION 17.** 341.19 (2) (c) of the statutes is amended to read:

13 341.19 (2) (c) Telephone authorization to operate a vehicle ~~granted before the~~
14 ~~beginning of the registration period~~ may be canceled by the applicant ~~before the~~
15 ~~beginning of the registration period~~ within 36 hours after making the request for
16 telephone authorization, and the applicant shall not be required to pay the
17 registration fee. The applicant shall pay to the department the authorization fee
18 under sub. (1) (a) and may be charged a cancellation fee established by the
19 department.

20 **SECTION 18.** Trans 131.03 (11) (L) of the administrative code is repealed.

21 **SECTION 19.** Trans 131.03 (15) (c) of the administrative code is amended to read:

22 Trans 131.03 (15) (c) Each operator of a vehicle failing the initial inspection
23 shall receive a list of ~~registered~~ recognized automotive emission repair technicians
24 and recognized repair facilities by area which includes information required under

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1 s. Trans 131.15. This listing may include other consumer information useful in
2 obtaining vehicle emission repair service.

3 **SECTION 20.** Trans 131.11 (3) (a) of the administrative code is renumbered
4 Trans 131.11 (3).

5 **SECTION 21.** Trans 131.11 (3) (b) of the administrative code is repealed.

6 **SECTION 22.** Trans 131.13 (5) (a) of the administrative code is renumbered
7 Trans 131.13 (5).

8 **SECTION 23.** Trans 131.13 (5) (b) of the administrative code is repealed.

9 **SECTION 24.** Trans 133.02 (2) of the administrative code is repealed.

10 **SECTION 25.** Trans 133.04 (1) of the administrative code is amended to read:

11 Trans 133.04 (1) DEPARTMENT SERVICE SCHEDULE. Requests for telephone
12 authorizations will be accepted by the department between 7:30 a.m. and 4:00 p.m.
13 ~~Monday through Friday except on New Year's Day, Good Friday, Memorial Day,~~
14 ~~Independence Day, Labor Day, Thanksgiving, Christmas Eve Day, Christmas Day,~~
15 ~~and New Year's Eve Day, and any other holiday when state offices are closed. When~~
16 ~~any of the named holidays falls on Sunday and is celebrated on the following Monday,~~
17 ~~applications will not be accepted on the day celebrated as the holiday at any time but~~
18 ~~will be processed by the department only during the department's regular business~~
19 hours.

20 **SECTION 26.** Trans 133.04 (2) (h) of the administrative code is repealed.

21 **SECTION 27.** Trans 133.05 of the administrative code is repealed.

22 **SECTION 28.** Trans 133.06 (3) of the administrative code is repealed.

23 **SECTION 29.** Trans 133.07 (1) of the administrative code is amended to read:

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1 Trans 133.07 (1) SCHEDULE. The department shall mail a monthly invoice to
2 any applicant that owes telephone authorization fees, ~~late payment fees~~ or
3 cancellation fees as described in s. Trans 133.06.

4 **SECTION 30.** Trans 133.08 of the administrative code is amended to read:

5 **Trans 133.08 Cancellation of telephone authorization.** A telephone
6 authorization may be cancelled ~~providing if~~ if the applicant requests the cancellation
7 by telephone ~~and the registration period for which the vehicle has been granted~~
8 approval to operate has not commenced within 36 hours after making the request for
9 telephone authorization and vehicle operation has not commenced. Cancellation
10 fees will be assessed as described in s. Trans 133.06 (4).

11 **SECTION 31.** Trans 133.09 (3) of the administrative code is repealed.

12 **SECTION 32.** Trans 138.05 (3) of the administrative code is amended to read:

13 Trans 138.05 (3) ~~Retain~~ Maintain a copy of a ~~properly completed, the~~ signed
14 ~~wholesale auction dealer reassignment form~~ title for each vehicle sold with a
15 ~~nonconforming title as required under s. Trans 154.03 (3) (d) 3., and furnish 2 copies~~
16 ~~to the purchasing dealer and one copy to the selling dealer.~~

17 **SECTION 33.** Trans 140.022 (2) of the administrative code is amended to read:

18 Trans 140.022 (2) **MINIMUM SECURITY.** A motor vehicle dealer or applicant for
19 a motor vehicle dealer license shall provide and maintain in force a bond or letter of
20 credit of not less than ~~\$25,000~~ \$50,000, or if the dealer or applicant sells or proposes
21 to sell motorcycles and not other types of motor vehicles, a bond or irrevocable letter
22 of credit of not less than \$5,000.

23 **SECTION 34.** Trans 140.07 (3) (a) of the administrative code is renumbered
24 Trans 140.07 (3).

25 **SECTION 35.** Trans 140.07 (3) (b) of the administrative code is repealed.

ASSEMBLY BILL 262**SECTION 36**

1 **SECTION 36.** Trans 140.09 (2) (a) of the administrative code is amended to read:

2 Trans 140.09 (2) (a) The following guidelines are used in determining the

3 acceptable level of net worth of an applicant:

Dealer Type	
New Auto or Truck	\$25,000 \$50,000 bond or letter of credit required
Used Auto or Truck	\$25,000 \$50,000 bond or letter of credit required
Motorcycle and not other motor vehicles	\$5,000 bond or letter of credit required
Motorcycle and other motor vehicles	\$25,000 \$50,000 bond or letter of credit required
Recreational Vehicle	Minimum required ratio of total assets to total liabilities of 1.4
Moped	Minimum required ratio of total assets to total liabilities of 1.4
Motor Vehicle Wholesaler	Minimum required ratio of total assets to total liabilities of 1.4
Motor Vehicle Salvage	Minimum net worth of \$5,000

4 **SECTION 37.** Trans 142.07 (5) (c) of the administrative code is amended to read:

5 Trans 142.07 (5) (c) The original or a copy of all recreational vehicle purchase

6 contracts, purchase orders and invoices. The records shall also include a copy of ~~MV1~~

7 Wisconsin title and registration application forms submitted to the department as

8 additional evidence of the sale as well as information regarding collection of sales tax

9 and Wisconsin title and registration fees.

10 **SECTION 38.** Trans 144.01 of the administrative code is amended to read:

11 **Trans 144.01 Purpose.** This chapter describes the periods, expiration dates,

12 and fees for licenses issued by the department under the authority found in ch. 218,

13 Stats., to motor vehicle dealers and their salespersons; moped dealers;

14 manufacturers, distributors, wholesalers, and their representatives; ~~mobile home~~

15 recreational vehicle dealers and their salespersons; motor vehicle auction dealers;

16 salvage dealers; and buyer identification card holders. It also establishes the

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1 periods, expiration dates, and fees for registration plates issued to dealers,
2 distributors, and manufacturers.

3 **SECTION 39.** Trans 144.02 (1) of the administrative code is amended to read:

4 Trans 144.02 (1) “Business license” means a license issued by the department
5 under ch. 218, Stats., to a motor vehicle dealer, moped dealer, ~~mobile home~~
6 recreational vehicle dealer, motor vehicle auction dealer, motor vehicle
7 manufacturer, distributor, wholesaler, or salvage dealer.

8 **SECTION 40.** Trans 144.04 (1) of the administrative code is amended to read:

9 Trans 144.04 (1) The department shall collect the fees described in the
10 following table from applicants before issuing their licenses or registration plates.

Type of License:	Type of Fee:	Amount:
Motor vehicle or moped dealer	License	\$... 40
	Registration (includes 2 plates)	\$... 150
	Additional plate	\$... 10
	Replacement plate	\$... 4
	Branch license	\$... 40
	Sublot license	\$... 2
Mobile home <u>Recreational vehicle</u> dealer	License	\$... 100
	Registration (includes 2 plates)	\$... 150
	Additional plate	\$... 10
	Replacement plate	\$... 4
	Branch license	\$... 100
Motor vehicle manufacturer, distributor, or wholesaler	License	\$... 40
	Registration (includes 2 plates)	\$... 150
	Additional plate	\$... 10
	Replacement plate	\$... 4
Branch license	\$... 40	
Motor vehicle auction dealer	License	\$... 100
Motor vehicle salvage dealer	License	\$... 150
Salesperson or representative	License	\$... 8
Buyer identification card	License	\$... 12

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1 **SECTION 41.** Trans 144.05 of the administrative code is repealed.

2 **SECTION 42.** Trans 152.15 of the administrative code is amended to read:

3 **Trans 152.15 Revocation.** If an assessed tax or fee has not been paid when
4 due and the person has not filed a written appeal within 30 days of the notification
5 of action or audit finding, that tax or fee becomes delinquent. A notice of delinquency
6 and revocation shall be sent to the last known address of the licensee or registrant
7 advising of the immediate revocation of fuel tax licensing, IRP registration
8 privileges, or hire operating authority and ~~single-state insurance registration~~. A
9 license may also be revoked if the licensee fails to comply with the provisions of this
10 chapter or the provisions of the IFTA or IRP. An appealable notice of revocation shall
11 be mailed to the licensee's or registrant's mailing address of record. If the appeal is
12 not filed within 30 days, the revocation shall be final and conclusive. A license or
13 registrant's licensing privileges shall remain revoked until the reason for the
14 revocation has been removed. In addition, the department may revoke, suspend or
15 refuse any registration, certificate or permit issued under the authority of the
16 department upon revocation of a person's fuel tax or IRP licensing privileges.

17 **SECTION 43.** Trans 156.04 (1) (c) of the administrative code is renumbered
18 Trans 156.04 (1) (c) 1. and amended to read:

19 Trans 156.04 (1) (c) 1. The Except as provided in subd. 2., the applicant shall
20 provide a surety bond or letter of credit along with the request for appointment in
21 a form prescribed by the DMV. The Except as provided in subd. 2., the bond or letter
22 of credit shall be \$10,000 for an agent doing renewal transactions and \$25,000 for an
23 agent doing title transactions and original registration. The bond shall indemnify
24 the department against claims arising from the acts or omissions of agents under the
25 contract including, but not limited to, missing or stolen license plates, stickers, and

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1 temporary certificate of registration paper stock. The requirement for a bond does
2 not apply to units of government or to financial institutions.

3 **SECTION 44.** Trans 156.04 (1) (c) 2. of the administrative code is created to read:

4 Trans 156.04 (1) (c) 2. A contractor with the department under s. 110.20 (8)
5 (am) 1., Stats., having more than 100 subcontractors, as described in s. 110.20 (8)
6 (am) 7., Stats., that are applicants under this section may provide the surety bond
7 or letter of credit on behalf of these applicants. The bond or letter of credit shall be
8 \$2,000 for each applicant on whose behalf the bond or letter of credit is provided.

9 **SECTION 45.** Trans 156.06 (3) of the administrative code is repealed.

10 **SECTION 46.** Trans 175.03 of the administrative code is amended to read:

11 **Trans 175.03 Registration.** Each rental company, before engaging in such
12 business, shall file an application with the department of transportation on forms
13 prescribed by it and secure an identifying registration number. Said registration
14 number will be issued after such investigation as the department may deem
15 necessary, either with or without hearing. ~~The department, after giving applicant~~
16 ~~opportunity to be heard, may attach to such rental company registration such~~
17 ~~conditions as may be deemed necessary to accomplish the purpose of s. 194.44 (2),~~
18 ~~Stats.~~

19 **SECTION 47.** Trans 175.04 (4) (e) of the administrative code is amended to read:

20 Trans 175.04 (4) (e) Be executed in ~~triplicate~~ duplicate. The originals including
21 voided copies shall be retained by the rental company and filed in numerical order;
22 and one copy shall be retained by the renter, and ~~one copy shall be carried on the~~
23 motor vehicle specified therein during the entire period of the agreement by the
24 renter and shall be made available for inspection immediately upon the request of
25 any law enforcement officer.

ASSEMBLY BILL 262**SECTION 48**

1 **SECTION 48.** Trans 177.04 of the administrative code is amended to read:

2 **Trans 177.04 Change of address.** A person authorized as a carrier under ch.
3 194, Stats., shall notify the department in writing ~~or~~, by telephone, or by any
4 electronic means prescribed by the department of a change in the person's principal
5 place of business within 30 days of the change.

6 **SECTION 49.** Trans 177.09 (4) of the administrative code is amended to read:

7 Trans 177.09 (4) A carrier may appeal the department's adverse determination
8 relating to the carrier's application or authority within ~~20~~ 30 days of the
9 determination to the division of hearings and appeals.

10 **SECTION 50.** Trans 177.10 of the administrative code is repealed.

11 **SECTION 51.** Trans 196.02 (7) of the administrative code is amended to read:

12 Trans 196.02 (7) "Special handling" means a request by an applicant for
13 accelerated service, fast handling, or priority service in the issuance of certificate of
14 title or registration, ~~including the use of a special department telephone registration~~
15 ~~service for the payment of renewal fees.~~

16 **SECTION 52.** Trans 196.02 (8) of the administrative code is repealed.

17 **SECTION 53.** Trans 196.04 (2) (b) of the administrative code is repealed.

18 **SECTION 54.** Trans 196.04 (3) (d) of the administrative code is repealed.

19 **SECTION 55.** Trans 196.04 (5) of the administrative code is repealed.

20 **SECTION 57.** Trans 215.07 (2) (d) of the administrative code is amended to read:

21 Trans 215.07 (2) (d) Projects funded by the legislature and the local units of
22 government as set forth in ~~s. 84.11 (5), Stats., to June 30, 1993, or s. 84.11 (5m), Stats.,~~
23 ~~after June 30, 1993,~~ will proceed to construction.

24 **SECTION 58.** Trans 215.08 (1) of the administrative code is renumbered Trans
25 215.08 and amended to read:

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1 **Trans 215.08 Apportionment of cost.** Costs shall be apportioned in
2 accordance with the provisions of s. 84.11 (5), Stats., until June 30, 1993. Thereafter
3 ~~costs shall be apportioned in accordance with the provisions of s. 84.11 (5m), Stats.~~

4 **SECTION 59.** Trans 215.08 (2) of the administrative code is repealed.

5 **SECTION 60.** Trans 215.10 of the administrative code is amended to read:

6 **Trans 215.10 Execution and control of work.** Execution and control of
7 work shall be in accordance with the provisions of s. 84.11 (7), Stats., until June 30,
8 1993. ~~Thereafter execution and control shall be in accordance with the provisions~~
9 ~~of s. 84.11 (7m), Stats.~~

10 **SECTION 61.** Trans 230.01 (3) (c) 1. of the administrative code is amended to
11 read:

12 Trans 230.01 **(3)** (c) 1. Except for general permits (s. Trans 230.06), industrial
13 interplant permits (s. Trans 230.08), ~~pole and pipe transportation permits (ch. Trans~~
14 ~~257)~~, vehicle transportation permits, double bottom milk truck permits and double
15 bottom permits, permits shall not be issued nor valid for the transporting of loads or
16 articles which could reasonably be divided in such a manner as to allow transporting
17 of the loads or articles in 2 or more loads which would not exceed statutory size and
18 weight limits, nor shall permits be issued or valid for the transporting of more than
19 one article if the vehicle and load exceed statutory weight limits. (This does not
20 prohibit the transporting of necessary blocking for a load, nor the transporting of
21 such necessary blocking on the otherwise empty vehicle to and from the origin or
22 destination of the load, but it does prohibit, among other things, the addition of an
23 extra bucket, boom section, and so forth to a load being transported under a permit
24 issued for an overweight vehicle and load.)

25 **SECTION 62.** Chapter Trans 257 of the administrative code is repealed.

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1 **SECTION 63.** Trans 303.03 (4) of the administrative code is repealed.

2 **SECTION 64.** Trans 303.04 of the administrative code is amended to read:

3 **Trans 303.04 Registration options.** Any vehicle defined in s. Trans 303.03
4 (2) ~~to (4)~~ or (3) may, due to individual use, be registered as a special vehicle.

5 **SECTION 65.** Trans 303.08 (1) (d) of the administrative code is amended to read:

6 Trans 303.08 (1) (d) All terrain vehicles and utility terrain vehicles.

7 **SECTION 66.** Trans 305.065 (3) of the administrative code is amended to read:

8 Trans 305.065 (3) REGISTRATION. As provided in s. 341.10 (6), Stats., no vehicle
9 originally designed and manufactured for off-highway use may be registered by the
10 department unless it bears the label required by section 114 of the national traffic
11 and motor vehicle safety act of 1966, as amended. The label shall be affixed by the
12 original manufacturer and shall certify that at the time of manufacture the vehicle
13 met all applicable federal motor vehicle safety standards. Vehicles generally not
14 eligible to be registered include, but are not limited to, mini-bikes, go-carts and,
15 all-terrain vehicles, and utility terrain vehicles.

16 **SECTION 67.** Trans 309.02 (1) of the administrative code is repealed.

17 **SECTION 68.** Trans 312.03 (2) of the administrative code is amended to read:

18 Trans 312.03 (2) ENFORCEMENT DISCRETION. Because of time, personnel and
19 resource limitations, the department cannot weigh, measure or inspect all vehicles
20 at weigh stations as a matter of regular course. Department experience shows that
21 trucks having a gross weight of 8,000 10,000 pounds or less often are used for
22 personal transportation and not for property transportation. For this reason, the
23 department chooses not to require operators of trucks having a gross weight of 8,000
24 10,000 pounds or less to stop at open weigh stations unless directed to do so by a
25 traffic officer.

